1942

File No. B. Munis. City Corporation (Extension & Terms/42

Legal **DEPARTMENT**

B **BRANCH**

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Subject:-

p-62E

Governor's Bill No. XIII of 1942

A Bill to amend the City of Bombay Municipal Corporation (Extension of Terms) Act, 1941

Bom. XIII of 1942.

File No. B. Munis. City Corporation (Extension of Terms)/42

Ltd. Sect. Slip. 21 A.

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Office of the R.L.A.

The requisite draft Bill is appended.

2. Under executive instructions, the Bill requires the previous approval of the Governor-General before enactment. The subject-matter of the Bill falls under entry No. 13 in the Provincial Legislative List in the Seventh Schedule to the Government of India Act, 1935. Since the Bill does not relate to any entry in the Concurrent Legislative List it is not necessary to reserve it for the consideration of the Governor-General with reference to section 107(2) of the Government of India Act, 1935.

Sd/—

Secretary of Legal Affairs.

U.S. to G.D., No. 162, dated the 8th January 1942.

D.L.B.

Submitted for approval & signature.

SHT/3044.

No.201(51),
Office of the Governor's Secretary
Government House,
Bombay, 28th May 1942.

From

J.B. Irwin, Esquire, DSO,MC.,ICS.,
Secretary to the Governor of Bombay.

To

The Secretary to Government.,
Legal Department. Bombay.

Subject:- The City of Bombay Municipal Corporation (Extension of Term) (Amendment) Bill,1942.

Sir,

With reference to your letter No.4226, dated the 22nd May 1942, I am directed to return herewith the copy of the Bill to amend the City of Bombay Municipal Corporation (Extension of Term) Act, 1941, prepared by His Excellency the Governor under paragraph (2) of the proclamation, dated the 4th November 1939, issued by him under section 93 of the Government of India Act, 1935, and to state that under the provisions of the aforesaid paragraph, His excell- ency the Governor is pleased to declare that he assents to the Bill in the name of His Majesty.

Your obident servant,

Sd/-J.B.Irwin
Secretary to the Governor
of Bombay.

BMT/30.4.

Acts.

Publication of the City of Bombay. Municipal Corporation (Extension of Term) (Amendment) Act, 1942.

GOVERNMENT OF BOMBAY.
Legal Department.

Resolution No. 4511

Bombay Castle, 1st June, 1942.

Letter to the Secretary to the Governor, No.4225, dated the 22nd May 1942.

Letter from the Secretary to the Governor, No.201(51), dated the 28th May 1942.

"With reference to your letter No.4225, dated the 22nd May 1942, I am directed to return herewith the copy of the Bill to amend the City of Bombay Municipal Corporation (Extension of Term) Act, 1941, prepared by His Excellency the Governor under paragraph (2) of the Proclamation, dated the 4th November 1939, issued by him under section 93 of the Government of India Act, 1935, and to state that under the provisions of the aforesaid paragraph, His Excellency the Governor is pleased to declare that he assents to the Bill in the name of His Majesty".

RESOLUTION:- The law should be published as Bombay Act No.XIII of 1942, in the Bombay Government Gazette dated the 2nd June 1942.

2. The Act should be translated into Marathi, Gujarati and Hindustani (in Urdu and Devnagari scripts) and the translations should be published in the Bombay Government Gazette.

3. A copy of the Act should be forwarded to the General Depaftment.

By order of the Governor of Bombay

Sd/- S.B.Palekar,
(P.N.MOOS,
For (Secretary to Government.

To

The Manager, Government Central Press, Bombay (with a copy of the Act and with a request that 15 gazette copies of the Act may be forwarded to the legal Department).

The General Department.

The Oriental Translator to Government. } with a copy of the Act.

The Secretary to the Bombay Legislative Council. }

The Secretary to the Bombay Legislative Assembly. }

*With five extra copies.

SMT/30.4.

Governor's Bill No. XIII of 1942

and

Bombay Act No. XIII of 1942

GOVERNOR'S BILL No. XIII OF 1942.

A Bill to amend the City of Bombay Municipal Corporation (Extension of Term) Act, 1941.

WHEREAS it is expedient to amend the City of Bombay Municipal Corporation (Extension of Term) Act, 1941, for the purpose hereinafter appearing;

Bom. I of 1941.

And whereas the Governor of Bombay has assumed to himself under the Proclamation, dated the 4th November 1939, issued by him under section 93 of the Government of India Act, 1935, all powers vested by or under the said Act in the Provincial Legislature;

26 Geo. 5, Ch. 2.

Now, therefore, in exercise of the said powers, the Governor of Bombay is pleased to make the following Act :—

Short title.

1. This Act may be called the City of Bombay Municipal Corporation (Extension of Term) (Amendment) Act, 1942.

Amendment of section 1 of Bom. I of 1941.

2. In sub-section (2) of section 1 of the City of Bombay Municipal Corporation (Extension of Term) Act, 1941 (hereinafter called "the said Act"), for the figures "1943" the figures "1944" shall be substituted.

Bom. I of 1941.

Amendment of section 2 of Bom. I of 1941.

3. In section 2 of the said Act, for the figures "1943" the figures "1944" shall be substituted.

STATEMENT.

The term of office of the Municipal Corporation of Bombay was due to expire on the 31st March 1942. It was, however, extended by one year and it is now proposed that it should be extended for a further period of one year, that is, till the 31st March 1944. In order to hold elections on the basis of adult franchise, which was introduced by Bombay Act XIII of 1938, it is necessary to amend the City of Bombay Municipal Act, 1888, in respect of qualifications of voters, preparation of electoral rolls, conduct of elections and redistribution of wards. Proposals for the necessary amendments have been prepared by the Municipal Commissioner in the light of the experience gained in the general elections of 1939 and they are under the consideration of the Corporation. Unless the necessary amendments are carried out before January or February 1942, at the latest, it will not be possible to complete in time the preliminaries prescribed by law to enable the elections to be held in 1943. It will take a considerable time for the Corporation and Government to come to final conclusions in regard to the proposed amendments. In particular, detailed proposals for the amendment of the Act in respect of the redistribution of wards can be framed only after the report of the census of 1941 is published. The redistribution of wards is essential as the number of voters is expected to be over $6\frac{1}{2}$ lakhs and in some of the more thickly populated wards the number will be as great as 50,000 if the old number of wards is retained.

The extension of the life of the Corporation for a further period of one year till the 31st March 1944 is, therefore, considered necessary.

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.